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Committee on the Exercise of the Inalienable Rights of the Palestinian People

Summary record of the 310th meeting
Held at Headquarters, New York, on Monday, 14 July 2008, at 3 p.m.

Chairman: Mr. Badji ..... (Senegal)

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The meeting was called to order at 3.15 p.m.

Adoption of the agenda

1. *The agenda was adopted.*

Statement by the Chairman

2. **The Chairman**, summarizing the activities that had taken place since the Committee's last meeting, drew attention to the United Nations International Conference on Palestine Refugees held in April 2008 in Paris, on which he would give a full report later in the meeting.

3. On 2 May 2008 in London, on the occasion of a meeting of the Ad-Hoc Liaison Committee of donors to the Palestinians, the Quartet had met at the principal level. It had expressed its deep concern at continuing settlement activity and had called on Israel to freeze all settlement activity including natural growth; it had called on the Palestinian Authority to fulfil its commitments to fight terrorism and to accelerate steps to rebuild and refocus its security apparatus; and it had expressed continuing concern over the closure of major Gaza crossing points.

4. On 23 May, the three-day Palestine Investment Conference had been concluded. The Prime Minister of the Palestinian Authority, Salam Fayyad, had said that investments had been raised for projects worth up to $1.4 billion.

5. On 3 and 4 June, the Committee had convened the United Nations International Meeting on the Question of Palestine in Qawra, Malta.

6. On 19 June, the ceasefire brokered by Egypt between Israel and Hamas in the Gaza Strip had gone into effect, but its status remained fragile.

7. On 24 June, the Berlin Conference in Support of Palestinian Civil Security and the Rule of Law had been convened. On the sidelines, the Quartet had met at the principal level and had called on Israel to freeze all settlement activity.

8. One week prior to the current meeting, it had been reported that Israel had announced plans to build more than 3,000 apartments in and around East Jerusalem after the Annapolis Conference of November 2007.

9. Since the Committee's previous meeting, President Abbas of the Palestinian Authority and Prime Minister Olmert of Israel had met three times to discuss permanent status issues.

The situation in the Occupied Palestinian Territory, including East Jerusalem

10. **Mr. Mansour** (Observer for Palestine) said that the President of the Palestinian Authority was concluding a visit to France and Malta. France had an important role to play as President of the European Union. Malta had hosted the recent and successful International Meeting and had acted as Rapporteur to the Committee since the latter's inception. The New Asian-African Strategic Partnership Ministerial Conference on Capacity-Building for Palestine, which had been convened by Indonesia and South Africa, was taking place that same day in Jakarta, Indonesia, and was being attended notably by a number of South American States. On 23 June, the International Donor Conference for the Recovery and Reconstruction of the Palestinian Refugee Camp at Nahr Al Bared had taken place in Vienna and had helped secure funds to rebuild the refugee camp in Northern Lebanon.

11. All of those meetings, in addition to the Palestine Investment Conference, had helped improve conditions in the Occupied Palestinian Territory, including East Jerusalem. The ultimate aim remained to end the occupation and establish a free, sovereign, independent and viable Palestinian State with East Jerusalem as its capital, while finding a solution to the refugee question on the basis of General Assembly resolution 194 (III). The head of the Palestinian negotiating team was scheduled to meet with United States officials, and possibly also with his Israeli counterparts, on 15 July in Washington D.C. It was hoped that the meeting would lead to an effort on the part of the United States of America to remove some of the obstacles to the ending of the occupation.

12. He was grateful to Egypt for brokering the ceasefire in the Gaza Strip, but reiterated that, because the Gaza Strip, the West Bank and East Jerusalem constituted a single unit, a lasting ceasefire would have to include all three areas. Such a ceasefire would not be tenable so long as Israel continued to carry out targeted assassinations and attacks. It was also essential that food, medicine and equipment be allowed into the Gaza Strip.

13. The recent construction of Israeli settlements, particularly around East Jerusalem, was a blatant violation of Israel's commitment to the Road Map and to the Annapolis Conference. In that connection, he appreciated the position taken by the Quartet at its meetings in London and Berlin. On the initiative of Saudi Arabia, the Arab Group was negotiating a draft Security Council resolution calling on Israel to comply with its obligations by ending all settlement activities, including natural growth, and dismantling outposts. He did not expect the resolution to be contentious: all Security Council members were on record supporting the Quartet's statement on the topic, and the Organization of Islamic States and the Non-Aligned Movement had written to the President of the Security Council in support of the initiative. Implementation of that resolution would remove a major obstacle to peace and possibly enable an agreement by the end of 2008.

14. However, the current atmosphere was not promising. There were now over 600 checkpoints throughout the West Bank, as compared with 540 before the Annapolis Conference. Movement within the West Bank was severely restricted, while the Gaza Strip acted as one large prison for all of its inhabitants. Under such circumstances, full use could not be made of the funds pledged for economic development and technical assistance. Israel had not yet freed prisoners in accordance with its commitments under the Road Map, or reopened Palestinian national institutions in East Jerusalem, or withdrawn from areas A and B; such action as had been undertaken did not substantially alter the broader picture. Prime Minister Olmert had stated in Paris that a peace agreement was closer than ever, but there had been no progress in negotiations on final status issues.

15. Time was of the essence, and the United States administration, the Quartet and the participants at the Annapolis Conference should make an effort to salvage the peace process. Peace could be achieved only if those actors, together with the Security Council and all Member States, moved to convince or press Israel to comply with its obligations.

16. **Mr. Ali** (Malaysia) asked whether the Palestinian Authority officials currently in Washington D.C. had sought to meet with the Democratic and Republican candidates for the United States presidency, one of whom would eventually lead the next administration.

17. **Mr. Mansour** (Observer for Palestine) welcomed the suggestion made by the representative of Malaysia. He was not aware of the officials' schedule, but would inform them that the Committee approved of the idea.

18. **Ms. Hernández Toledano** (Cuba) recalled that on 22 July 2008 an open debate on the situation in the region and in particular on Palestine would take place in the Security Council. On that occasion, it would be useful for the Committee to reiterate its solidarity with the Palestinian people, its support for their rights and its condemnation of Israel's illegal activities in the Occupied Palestinian Territory. The Observer for Palestine had referred to a draft Security Council resolution proposed by the Arab Group. It was vital for the Committee to support that resolution by urging the President of the Security Council or the President of the General Assembly, as appropriate, to call on Israel to comply with its obligations under international law.

19. **Mr. Sahel** (Morocco) said that his country continued to stand in solidarity with the Palestinian people, who had been dispossessed of their land and now lived either in exile or under violent occupation, particularly in the Gaza Strip. The Palestinians continued to suffer as a result of Israel's accelerated settlement policy, its destruction of Palestinian infrastructure and its confiscation of Palestinian lands. That suffering was compounded by the continued construction of the illegal separation wall and the establishment of even more checkpoints, which hindered the movement of persons, goods and aid.

20. As Chairman of the Al-Quds (Jerusalem) Committee of the Organization of the Islamic Conference (OIC), his country was deeply concerned by Israeli policies aimed at altering the demographic, historic, cultural and religious characteristics of the Holy City. It was imperative that the community of nations demonstrate the firmness required to preserve the legal status of Jerusalem and to halt all actions aimed at imposing a fait accompli.

21. The positive environment that had arisen from the Annapolis Conference presented an opportunity to begin a new phase of normalization, leading to fully fledged negotiations aimed at re-establishing mutual confidence and producing a peace agreement by the end of 2008. Any such agreement should include a just and equitable resolution to all final status questions, in particular the status of Jerusalem and the inalienable

right of Palestinian refugees to return to their homes, in accordance with relevant United Nations resolutions.

22. The fact of the matter, however, was that Israeli policies were not conducive to creating a climate of peace and reconciliation. In that connection, he called on the Committee to pay special attention to Israel's intensified settlement policy, which represented a serious threat to the peace process. His delegation also supported the draft resolution that had been submitted by Saudi Arabia to the Security Council calling on Israel to cease immediately all settlement activities.

23. The Chairman said that, in its statements, the Committee always addressed the situation in the Occupied Palestinian Territory, including East Jerusalem, together with Israeli settlement policies, and it would express its position on those matters whenever the question of Palestine was under discussion. In that connection, the Committee would take part in the upcoming debate on the aforementioned Security Council resolution.

24. **Mr. Saripudin** (Indonesia) said that the New Asian-African Strategic Partnership Ministerial Conference on Capacity-Building for Palestine was a reflection of the strong international support for the Palestinian people. His delegation would circulate the reports of that conference to Committee members as soon as they became available.

Report of the Chairman on the United Nations International Conference on Palestine Refugees, 29 and 30 April 2008, headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Paris, and on the United Nations International Meeting on the Question of Palestine, 3 and 4 June 2008, Qawra, Malta

25. **The Chairman**, reporting on the International Conference on Palestine Refugees held on 29 and 30 April 2008 at the headquarters of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Paris, said that the objective of the conference had been to assess the situation of Palestine refugees and examine the role of the United Nations in alleviating their plight. It had also examined efforts at finding an agreed, just and fair solution to the refugee issue in keeping with relevant United Nations resolutions.

26. Attendance had been impressive. The Committee had been represented by Ambassador Rodrigo Malmierca Díaz of Cuba, Vice-Chairman of the Committee; Ambassador Zahir Tanin of Afghanistan, Vice-Chairman of the Committee; Ambassador Saviour Borg, Rapporteur of the Committee; Ambassador Riyad Mansour of Palestine; and himself, as Chairman of the Committee and head of the delegation.

27. The conference had consisted of the opening session, three plenary sessions and a closing session. The conference had been opened by Ms. Angela Kane, Assistant Secretary-General for Political Affairs, who read out a message on behalf of Secretary-General Ban Ki-moon. In addition, Mr. Elias Sanbar, Permanent Observer of Palestine to UNESCO, had delivered a message from Mr. Mahmoud Abbas, President of the Palestinian Authority. He himself had made a statement on behalf of the Committee.

28. In the ensuing plenary sessions, presentations had been made by 15 experts, including Palestinian and Israeli experts. During the first plenary session, the experts had looked into the history of the Palestine refugees and described their current situation. The second plenary session had highlighted the role of the United Nations in alleviating the plight of Palestine refugees,.while the third had been devoted to analysing the status of those refugees in international law.

29. At the end of the conference, the participants had noted with grave concern that, 60 years since the original displacement of the Palestinians in 1948, the situation of the refugees was as precarious as ever. The participants had held Israel fully responsible for the welfare and protection of the refugees in the Palestinian territory it continued to occupy, including in the Gaza Strip.

30. Any final Israeli-Palestinian peace agreement should include a just and fair solution to the refugee question. The United Nations should continue to exercise its permanent responsibility as a custodian of international legitimacy and uphold the rights of the Palestine refugees until the question of Palestine was resolved in all its aspects.

31. While in Paris, the Committee delegation had met with officials of the Government of France and members of Parliament and had exchanged valuable and useful views on the question of Palestine at the United Nations, focusing on the role of Europe, and of France, in particular, especially in view of the assumption by France of the Presidency of the European Union.

32. Turning to the International Meeting on the Question of Palestine, held on 3 and 4 June in Qawra, Malta, he said that the objective of the conference had been to foster greater support by the international community for the creation of a climate conducive to the advancement of the permanent status negotiations between Israelis and Palestinians. Participants had discussed the impact of settlement construction on the political process and the need for the parties to meet Road Map commitments. They had also examined the effects of the construction of the separation wall in the Occupied West Bank and the importance of finding a solution to the question of Jerusalem.

33. The meeting had been attended by representatives of 22 Member States in addition to the Holy See and Palestine. The Committee had been represented by a delegation that included Ambassador Saviour Borg, Rapporteur of the Committee; Ambassador Habib Mansour of Tunisia; Ambassador Angel Dalman Fernández, Ambassador of Cuba to Egypt; Ambassador Riyad Mansour of Palestine; and himself, as Chairman of the Committee and head of the delegation.

34. The meeting had consisted of an opening session, three plenary sessions and a closing session. The meeting had been opened by Mr. Tonio Borg, Deputy Prime Minister and Minister for Foreign Affairs of Malta. Mr. Maxwell Gaylard, Deputy United Nations Special Coordinator for the Middle East Peace Process, had read out a message on behalf of the Secretary-General Ban Ki-moon, while Mr. Tayseer Quba'a, Deputy Speaker of the Palestine National Council, had delivered a message on behalf of Mr. Mahmoud Abbas, President of the Palestinian Authority. The Chairman had made a statement on behalf of the Committee.

35. In the ensuing plenary sessions, presentations had been made by 13 experts, including Palestinian and Israeli experts. The experts had discussed various matters, including the consequences of settlement construction for the territorial integrity and contiguity of a future Palestinian State; the physical aspects of the construction of the separation wall, its effects on Palestinian communities and related international law; and the status of Jerusalem in international law, its transition since 1947, and Jerusalem as a permanent status issue.

36. The participants had agreed that every effort should be made to achieve a final status agreement by the end of 2008 and had expressed serious concern over the impact of Israel's ongoing settlement activity on prospects for such an agreement. Recalling the advisory opinion of the International Court of Justice regarding the legality of the separation wall, the participants had emphasized the need for a more serious action by the international community challenging the presence of the wall in the Occupied Palestinian Territory.

37. A negotiated solution to the issue of Jerusalem based on international law was critical for resolving the Israeli-Palestinian conflict and establishing a lasting peace. In that connection, the participants had expressed serious concern regarding Israeli policies and actions in East Jerusalem, including the issuance of demolition orders, the forcing out of Palestinian Jerusalemites from the city and the severing of the city from the rest of the West Bank through the expansion of settlements and the construction of the separation wall. Recalling Security Council resolution 252 (1968), which "considers that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tend to change the legal status of Jerusalem are invalid and cannot change that status", the participants had stated that the status of Jerusalem could be resolved only through negotiations and in full accordance with relevant United Nations resolutions.

38. In accordance with established practice, reports on the two events would be issued, in due course, as publications of the Division for Palestinian Rights and would also be posted on the website maintained by the Division.

39. **Mr. Sow** (Guinea) said that his delegation welcomed the emphasis on the question of refugees in the Chairman's report and took the view that the five million Palestinian refugees were victims of flagrant injustice and deserved to be able to return to their country of origin. The Chairman's description of the meetings recently held in Paris and Malta would enable the Committee to make an even greater contribution to current negotiations and to the eventual liberation of the Palestinian people.

40. **Mr. Mansour** (Tunisia) said that the meetings described in the Chairman's report were important and had been skilfully organized. The presence of Israeli as well as Palestinian experts and representatives of civil society at those meetings had been reassuring, indicating that the desire for peace existed on both

sides. Civil society was able to exercise pressure on the occupying authorities in order to compel them to fulfil their commitments and thus further the peace process.

41. **The Chairman** said that if there were no further comments, he took it that the Committee wished to take note of the report.

42. *It was so decided.*

The meeting rose at 4.30 p.m.